

# Legislative Fiscal Bureau

## Fiscal Note

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HF 2525 - Bomb Threats (LSB 5517 HV)

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Fiscal Note Version - New

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### **Description**

House File 2525 provides for an automatic waiver to adult court for making a false report or for homicide or serious injury by a motor vehicle, if the perpetrator is 16 years of age or older.

### **Assumptions**

1. Charge, conviction, and sentencing patterns and trends will not change over the projection period.
2. Prisoner length of stay, revocation rates, and other corrections' practices and policies will not change over the projection period.
3. The law will become effective July 1, 2002. A lag of six months is assumed, from the effective date of the change in the law to the date of first entry of affected offenders into the correctional system.
4. The analysis is based on information obtained from the Justice Data Warehouse, which includes court information. Conviction and penalty information is based on FY 2001 data.
5. There were nine juveniles referred to juvenile court during FY 2001 for offenses covered under this Bill. Of these, four were waived to adult court. Therefore, 5 juveniles per year would be waived to adult court under HF 2525.
6. Adult court dismissal and acquittal rates and penalties imposed are used for the correctional impact estimates.
7. The average length of stay on probation for a Class C felony is 30 months. The average length of stay on probation for a Class D felony is 29 months. The marginal cost per day for parole supervision is \$1.55 per offender. Simple misdemeanor offenders are rarely supervised.
8. The median cost for indigent defense per case is \$1,200 for a Class C felony, \$1,000 for a Class D felony, and \$200 for simple misdemeanors.
9. The average cost per felony case for the Judicial Branch ranges from \$200 to \$600, depending on whether a jury trial occurs. These amounts include the costs of a District Court Judge, Clerk of Court staff, a court reporter, and a court attendant. The cost for a simple misdemeanor is \$25 per case. These figures include the costs of a Magistrate or District Associate Judge, Clerk of Court staff, a court reporter, and a court attendant.

### **Correctional Impact**

There will be two convictions during FY 2003, one for a Class C felony and one for a Class D felony. Both offenders will receive probation. There will be three convictions during FY 2004, one for a Class C felony, one for a Class D felony, and one for a simple misdemeanor. The two felons will receive probation while the simple misdemeanant will be fined and not supervised in the community.

### **Fiscal Impact**

The fiscal impact of HF 2525 to the General Fund is not expected to be significant.

The impact on county jails is not anticipated to be significant.

**Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Department of Corrections  
Iowa Supreme Court  
Office of the State Public Defender

/s/ Dennis C Prouty

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February 26, 2002

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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